

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

---

---

**JUDGMENT RENDERED MAY 9, 2019**

---

---

---

---

**NO. 03-18-00153-CV**

---

---

**Texas Department of Transportation, Appellant**

**v.**

**Albert Lara, Jr., Appellee**

---

---

**APPEAL FROM THE 345TH DISTRICT COURT OF TRAVIS COUNTY  
BEFORE CHIEF JUSTICE ROSE, JUSTICES BAKER AND SMITH  
AFFIRMED IN PART; REVERSED AND RENDERED IN PART –  
OPINION BY JUSTICE SMITH;  
CONCURRING AND DISSENTING OPINION BY CHIEF JUSTICE ROSE**

---

---

This is an appeal from the interlocutory order signed by the trial court on February 21, 2018. Having reviewed the record and the parties' arguments, the Court holds that there was reversible error in the trial court's interlocutory order to the extent it overruled the Texas Department of Transportation's plea to the jurisdiction on Lara's retaliation claim. Therefore, the Court reverses the part of the order overruling that plea and renders judgment dismissing the retaliation claim with prejudice. The Court affirms the remainder of the trial court's judgment. Each party shall bear its own costs relating to this appeal, both in this Court and in the court below.